

EXHIBIT 1



Entered on Docket
June 12, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund, LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING THIRD
OMNIBUS OBJECTION OF USACM
TRUST TO PROOFS OF CLAIM
BASED, IN WHOLE OR IN PART,
UPON INVESTMENT IN THE
STANDARD PROPERTY
DEVELOPMENT, LLC LOAN**

Hearing Date: May 8, 2008

Hearing Time: 10:30 a.m.

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's Third Omnibus
2 Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon
3 Investment in the Standard Property Development, LLC Loan (the "Objection") [DE
4 6270]. Adequate notice of the Objection was given. The Court heard the Objection on
5 May 8, 2008. No responses were filed to the Objection and no opposition was raised at
6 the hearing. Good cause appearing,

7 IT IS ORDERED:

- 8 • Sustaining the Objection;
- 9 • Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they
10 are based upon an investment in the Standard Property Development, LLC
11 Loan. The Proofs of Claim listed in Exhibit A are not affected by this order to
12 the extent they are based upon an investment in a loan(s) other than the Standard
13 Property Development, LLC Loan; and
- 14 • Reserving the right of any party in interest, including the USACM Trust, to
15 further object to the Proofs of Claim listed on Exhibit A attached.

16 ###

17 PREPARED AND SUBMITTED:

18 **LEWIS AND ROCA LLP**

19 By: /s/ RC (#0006593)

20 Susan M. Freeman

21 Rob Charles

22 John Hinderaker

23 *Attorneys for USACM Liquidating Trust*

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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
John Hinderaker
Attorneys for USACM Liquidating Trust

**STANDARD PROPERTY LOAN
THIRD OMNIBUS OBJECTION**

EXHIBIT A
Multiple Loan Claims

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Standard Property Loan
10725-01050	Brooks Living Trust Dated 6/30/97	c/o Howard D. and Doreen C. Brooks Trustees 1894 US Highway 50 E., Ste. 4-344 Carson City, NV 89701- 3202	300,000.00	50,000.00
10725-02528	Peter W. and Deidre D. Capone	P.O. Box 1470 Gardnerville, NV 89410- 1470	Unspecified	Unspecified
10725-01396	Cardwell Family Trust	c/o Michael J. Dawson, Esq. 515 South Third Street Las Vegas, NV 89101	3,229,496.02	495,000.00
10725-01397	Cardwell Family Trust	c/o Michael J. Dawson, Esq. 515 South Third Street Las Vegas, NV 89101	3,331,718.07	495,000.00
10725-01401	Cardwell Family Trust	c/o Michael J. Dawson, Esq. 515 South Third Street Las Vegas, NV 89101	3,226,795.82	495,000.00
10725-01407	Cardwell Charitable Trust	c/o Michael J. Dawson, Esq. 515 South Third Street Las Vegas, NV 89101	1,549,493.61	339,000.00
10725-00523	Dionisio A. and Fiola Fernandes	4001 Oak Manor Court Hayward, CA 94542-1445	244,646.92	58,071.84
10725-02113	Charles B. Dunn, IV Trust Dated 8/12/05	c/o Charles B. Dunn, IV Trustee 17042 Norlene Way Grass Valley, CA 95949- 7161	345,498.04	50,000.00